

CUSTOMER NO.: 24498  
Serial No.: 09/868,254  
Office Action dated: 04/06/07  
Response dated: 07/03/07

PATENT  
RCA 89,185

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Remarks/Arguments

Claims 1-10 are pending and are rejected in the Office Action dated April 6, 2007. Claims 1 and 6 are amended herein to more particularly point out and distinctly claim the subject matter Applicants regard as the invention.

Re: Rejection of Claims 1-10

Claims 1-10 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication No. 2005/0138660 to Boyer (hereinafter, "Boyer") in view of U.S. Patent Publication No. 2005/0273819 to Knudson (hereinafter, "Knudson"). Applicants respectfully traverse this rejection for at least the following reasons.

Applicants first note that independent claims 1 and 6, as amended herein, both recite:

"receiving, while said computer application software program is running, an advertisement associated with a broadcast television program ***specified by a service provider***" (emphasis added)

As indicated above, independent claims 1 and 6 are amended herein to clarify that the received advertisement is associated with a broadcast television program specified by a service provider (and not by a user). In this manner, the service provider dictates and controls the particular broadcast program which is the subject of the received advertisement. This type of advertising is referred to, for example, on page 1, lines 22-24 and page 6, lines 38-39 of Applicants' disclosure.

Neither Boyer nor Knudson, whether taken individually or in combination, teach or suggest the subject matter of independent claims 1 and 6. In formulating the instant rejection, the Examiner alleges that the claimed "advertisement" corresponds to the "reminders" shown in FIG. 6 of Boyer and FIG. 9 of Knudson (see pages 3-4 of the Office Action dated April 6, 2007). In response, Applicants first note that both Boyer and Knudson expressly teach that an "advertisement" and a "reminder" are two completely separate and different things. This fact is evident given that both Boyer and Knudson separately include "advertisements" within their

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"reminders." In particular, Applicants draw the Examiner's attention to advertisement 620 included within the reminder screen shown in FIG. 6 of Boyer, and advertisement 125 included within the reminder screen shown in FIG. 9 of Knudson. Accordingly, it is abundantly clear from the express teachings of both Boyer and Knudson that they themselves considered an "advertisement" to be completely separate and different from a "reminder." Therefore, Applicants consider it improper to read the "reminders" of Boyer and Knudson on the claimed "advertisement" of independent claims 1 and 6. For this reason alone, the instant rejection should be withdrawn.

However, even assuming, *arguendo*, that the "reminders" of Boyer and Knudson can be properly read on the claimed "advertisement" (which they can not), Applicants note that the "reminders" disclosed by Boyer and Knudson are not "associated with a broadcast television program specified by a service provider" as claimed. Rather, the "reminders" disclosed by Boyer and Knudson are associated with broadcast television programs specified by users. That is, the "reminders" of Boyer and Knudson are generated as a result of user inputs that select the particular broadcast television programs for which users are being reminded of (see, for example, paragraphs [0042]-[0043] and FIGS. 2-3 of Boyer and paragraphs [0054]-[0055] and FIG. 6 of Knudson). Accordingly, even if the "reminders" of Boyer and Knudson can be properly read on the claimed "advertisement" of independent claims 1 and 6, the proposed combination fails to teach or suggest the claimed invention since the "reminders" disclosed by Boyer and Knudson are associated with broadcast television programs specified by users, and not "associated with a broadcast television program specified by a service provider" as claimed. Therefore, in view of the foregoing remarks and the accompanying amendments, Applicants respectfully request that the rejection of claims 1-10 be withdrawn.

### **Conclusion**

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks/arguments, this application stands in condition for allowance. Accordingly, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be

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taken, the Examiner is invited to contact the applicant's attorney at (609) 734-6813, so that a mutually convenient date and time for a telephonic interview may be scheduled. No fee is believed due. However, if a fee is due, please charge the fee to Deposit Account 07-0832.

Respectfully submitted,

HUGH B. MORRISON ET AL.

By: 

Reitseng Lin, Attorney  
Reg. No. 42,804  
Phone (609) 734-6813

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Patent Operations  
Thomson Licensing LLC  
P.O. Box 5312  
Princeton, New Jersey 08540

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